

Application No: 10/586,502
Amendment A
Reply to Office Action dated 06/16/2008

Attorney Docket No: 3926.199

IN THE FIGURES:

Fig. 4 is amended to be provided with "descriptive legends", per 37 CFR 1.84(o).

A replacement sheets is attached to this amendment.

REMARKS

Status of Claims

Claims 16-30 are presented for examination.

Claims 16-30 are indicated to be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, and/or the objection(s) under 37 CFR 1.75(a), set forth in this Office action

Specification

The specification was objected to. Appropriate correction is required.

In response, Applicant thanks the Examiner for the helpful comments and has reviewed and amended the specification.

Drawings

The drawings are objected to because the blocks in Fig. 4 should be provided with "descriptive legends", per 37 CFR 1.84(o).

A corrected drawing in compliance with 37 CFR 1.121(d) labelled "Replacement Sheet" is submitted herewith.

Objections under 37 CFR §1.75(a)

Claims 16-30 are objected to under 37 CFR 1.75(a) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 16, lines 3-4, "the own vehicle" (one occurrence on each line) lacks antecedent basis, and it is unclear how "own" further defines "the...vehicle".

The Examiner is correct. The word "own" has been deleted.

Claim 19, line 2, it appears that "is" should be --are--.

The Examiner is correct. The claim has been amended.

At the end of claim 19, "the projected movement tracks" lacks clear antecedent basis.

Applicants amend this to "the projected path of movement" as supported by paragraphs [0018] and [0038].

Claim 25, line 6, "the vehicle sensors" lacks antecedent basis.

Claim 25 has been corrected.

Claim 28, line 2, the comma after "deactivated" should be deleted.

Claim 28 has been corrected, including removing "and/or" language.

Claim 30, line 2, it appears that "imminent or already occurring of the door opening" would be clearer as --an imminent or already occurring door opening--, or something similar.

Claim 30 has been amended.

Rejections under 37 CFR §1.112

Claims 16-30 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 16, line 4, "detecting objects...in the environment of the...vehicle" is indefinite as to what constitutes the "environment" of a vehicle per se; i.e., does this include only objects within the vehicle (including, e.g., components of the vehicle itself), does it include only objects either inside the vehicle or outside but within a predetermined proximity of the vehicle, does it include objects in areas where the vehicle is normally driven (e.g. along roads and highways), etc.

In response, claim 16 has been amended to define the environment as near or distant environment as detected using environment sensors, as disclosed in paragraph [0011] of the specification.

In claim 23, line 2, it is unclear whether "manual switching off" refers to the "process" (or associated apparatus) per se, or to the "vehicle" as a whole.

In response, claim 23 has been clarified based on paragraph [0032] of the specification teaching “Alternatively, the collision monitoring unit can be switched off manually.”

In claim 25, line 4, it is unclear what is meant by "environment sensors" in the context of sensing a condition(s) pertaining to a vehicle; i.e., it is unclear if "environment" implies anything about the particular type(s) of sensor(s) being used, and/or anything about the particular vehicle-related condition(s) or parameter(s) being sensed (e.g., conditions concerning the operational status of the vehicle itself or of a component of the vehicle itself, and/or conditions concerning the status of objects or parameters internal to and/or external to the vehicle).

In response, Applicants explain that the “environment” is where objects to be avoided are found. Applicants refer to paragraph [0005] teaching “Environment sensors detect objects in the detection area about the vehicle...”; paragraph [0011] teaching “The information for recognition of objects in the environment of the vehicle is obtained from environment sensors, which often are already in place in vehicles. Advantageously, sensor data is employed which is produced by near-range radar, long-range radar, ultra-sound sensors, lidar sensors or cameras. The individual sensor data can be freely combined with each other in order to recognize objects in the near or distant environment of the vehicle.” and paragraph [0029] teaching “with the environment sensors, that is, the ultra-sound sensors, radar sensors or infra-red sensors or cameras ...”

In claim 25, line 9, "an overlapping of the probability space" is indefinite as to what the "probability space" (of the vehicle) is overlapping with; note the "probability paths...for the detected objects" on line 8.

In response, Applicants amend the claim to recite “an overlapping of a probability space (7) and a probability path (7)”.

In claim 26, line 2, "the movement path" is indefinite as to which of the previously-recited "movement paths" is intended (note in claim 25, "movement paths...for the detected objects" on line 5 and "movement path...of the vehicle" on line 6).

In response, claim 26 has been amended to refer to both objects in the environment (see Figs. 1 and 2 and associated text in paragraphs [0038] and [0040]) and the own vehicle (see Fig. 3 and associated text in paragraph [0041]).

In claim 28, last line, it is unclear whether "is manually switched off" refers to the "collision monitoring device" (see line 1) or to the "vehicle" as a whole.

In response, claim 28 has been amended to clarify that it is the collision monitoring device that is switched off, as indicated in paragraph [0032] of the specification.

Withdrawal of the rejections is respectfully requested.

Indication of Allowability

Claims 16-30 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, and/or the objection(s) under 37 CFR 1.75(a), set forth in this Office action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

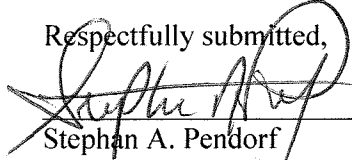
The prior art cited by applicant has been considered. Bartels et al (US 2005/280518) appears to be related to DE 10261622 A1, cited by applicant. McLain et al (US 2005/280284), Dickmann et al (US 2004/200149) and Mochida et al (US 4458446) are cited to further show the state of the art.

Applicants have reviewed this further art and have no further comment.

The Commissioner is hereby authorized to charge any fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 16-0877.

Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

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Respectfully submitted,

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